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Re Applic of	Rajasekhar Venigalla, et al.
Docket No.	FIS920040210US1
Serial No.	10/711,369
Filing Date	9/14/04
Attorney	H. Daniel Schnurmann

Attached: **Response to Restriction Requirement**

PLEASE DELIVER TO: Jacob K. Ackun
EXAMINER: ART UNIT: 3723
CONFIRMATION NO.: 5368
PHONE NO:
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I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING SENT VIA Facsimile Transmission to: COMMISSIONER OF PATENTS AND TRADEMARKS, Alexandria VA. 22313, on May 31, 2005 by: Teri McDonald

Teri McDonald 5/31/05

Signature & Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE	
In re application of: **Rajasekhar** Venigalla et al.	Date: **May 31, 2005**
Serial Number: **10/711,369**	Examiner: **Jacob K Ackun**
Filed: **9/14/04**	Group Art Unit: **3723**
Title: **Ceria-Based Polish Processes and Ceria-Based Slurries.**	IBM Corporation D/18G, B/300, Zip 482 2070 Route 52 Hopewell Junction, NY 12533-6531

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner of Patents and Trademarks
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the Office Action dated May 20, 2005.

The Examiner in the aforementioned Office Action has required restriction under 35 U.S.C. § 121, stating that the claims belong to:

GROUP I, Claims 1-10 and 20, drawn to a method for polishing, and

GROUP II, Claims 11-19, drawn to a slurry for use in polishing.

Applicants traverse the aforementioned Restriction Requirement for the following reasons:

Applicants submit that the claims as filed are interrelated in view of the ceria-based slurry of the present application being a specialized slurry having properties unlike any other slurry. Accordingly, the method of fabricating said ceria-based slurry is intimately related to the actual slurry manufactured and, therefore, should not be separated from the end product. Thus, Applicants contend that both Claim Groups I and II are one and the same, and they do not fit the criteria for restriction.

Applicants further submit that there is a one-to-one correspondence between the claims in Group I to the claims in Group II. The Examiner is directed, for instance, to a comparison between claim 1 versus claim 11, both of which recite a concentration of ceria to silica in a proportion of 1 to 10. The same correspondence of claims in Group I to II exists also for the remaining claims in the respective groups. Applications therefore submit that there is no necessity to conduct two separate searches as stated in the Office Action.

In view of the foregoing, it is believed that the restriction requirement should be withdrawn.

Notwithstanding the foregoing arguments, Applicants elect to prosecute the invention of GROUP II, consisting of Claims 11-19 drawn to the slurry, and withdraw from consideration the claims forming GROUP I, as being drawn to non-elected invention, without prejudice to the Applicants' right to file a Divisional or Continuation or Continuation-in-Part Patent Application for the withdrawn claims.

Respectfully submitted,
RAJASEKHAR VENIGALLA, ET AL.

By: H. Daniel Schnurmann

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